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December 4, 2023


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Via ECF

Application GRANTED.

Hon. Arun Subramanian
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, New York 10007

SO ORDERED.


Arun Subramanian, U.S.D.J.
Date: December 4, 2023

Re: *United States v. Avraham Eisenberg*, 23 Cr. 10 (AS)

Dear Judge Subramanian:

We write on behalf of defendant Avraham Eisenberg to respectfully request that the Court grant a two-week continuance of the current December 7, 2023 deadline to file motions *in limine* and *Daubert* motions to December 21, 2023, with a three-week adjournment of the deadline for oppositions from December 21, 2023 to January 18, 2024. This is Mr. Eisenberg's first adjournment request, and the government takes no position.

On November 8, 2023, the Court adopted the parties' revised proposed schedule for pretrial motions and submissions in light of the new trial date of April 8, 2024. (Dkt. 53.) On November 27, 2023, the Court scheduled oral argument on Mr. Eisenberg's pending motion to dismiss for December 6, 2023. (Dkt. 59.) Because of the extensive preparation required for oral argument and the proximity of that date to the filing deadline, the defense requests additional time to prepare its motions *in limine*, and wants three weeks for the oppositions because of the intervening holidays and the potential number of government motions *in limine*, which may be numerous. The parties have agreed to meet and confer about possible motions seven days in advance of the proposed new filing deadline in an effort to obviate the need for at least certain of the motions and narrow the issues for any that will be filed. The parties have previously discussed several possible defense motions *in limine* and that helped eliminate the need for one.

For all these reasons, the defense respectfully requests that the Court continue the deadline to file motions *in limine* and *Daubert* motions to December 21, 2023, with a three-week adjournment of the deadline for oppositions to January 18, 2024.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read 'B. E. Klein'.

Brian E. Klein
Ashley E. Martabano
Riley P. Smith
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-and-

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